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## *Memorandum*

TO: Commission

DATE: September 19, 2007

FR: Executive Director

W. I.: 1131

RE: AB 1743 (Huffman) — San Quentin State Prison

AB 1743 would require the Bureau of State Audits (BSA) to conduct by May 30, 2008 an evaluation of condemned inmate facility alternatives to the San Quentin State Prison. The bill finds that the state has not adequately studied alternatives to constructing such a facility at San Quentin. The bill requires that the BSA evaluation consider whether facilities can be constructed to house some or all male condemned inmates at San Quentin in a manner that preserves the possibility of non-correctional uses in the southwestern portion of the property. Lastly, the bill prohibits the Department of Corrections and Rehabilitation from spending any additional funds on a condemned inmate facility at San Quentin State Prison prior to the completion of the BSA evaluation and to receiving specific legislative authorization.

**Recommendation:** Ratify the “support” position communicated to the Governor as authorized by Chair Dodd and Legislation Committee Chair Rubin under the Commission’s urgency procedures.

Marin County’s land use regulations do not apply to San Quentin State Prison, but if the state were to close the prison and not use the site for another state purpose, private use of the property would fall under the county’s land use jurisdiction. In 2002, the Marin County Board of Supervisors appointed the San Quentin Reuse Planning Committee to evaluate appropriate uses for the site should the state decide to declare the property as surplus and dispose of it. This committee produced the San Quentin Vision Plan in 2003, which notes that the property is a “prime location for an efficient reuse of existing developed land with a transit oriented community that would help provide additional housing, neighborhood commerce, and related services in Marin linked to a multimodal transportation facility to connect the communities of Marin with the rest of the Bay Area.” In the interest of preserving the option of non-correctional uses at San Quentin State Prison property, including transit-oriented development, we urge your support for AB 1743.

### **Known Positions**

#### **Support**

American Federation of State, County & Municipal Employees  
Marin County Board of Supervisors

#### **Oppose**

California Correctional Peace Officers Association  
Department of Finance  
Sacramento County Board of Supervisors

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Steve Heminger